

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ERIE DIVISION

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|--|---|-------------------------|
| ABBY B. CONLEY, | : | JURY TRIAL DEMANDED |
| Plaintiff | : | |
| | : | |
| VS. | : | |
| | : | |
| COUNTY OF ERIE, ERIE COUNTY | : | |
| OFFICE OF CHILDREN AND YOUTH, | : | |
| a/k/a ERIE COUNTY CHILD WELFARE | : | |
| SERVICE, RICHARD SCHENKER, | : | |
| individually and in his capacity as County | : | |
| Executive of Erie County, Pennsylvania, | : | |
| PETER CALLAN, individually and in his | : | |
| capacity as Erie County Director of Personnel, | : | |
| DEBRA LIEBEL, individually and in her | : | |
| capacity as Executive Director, Erie County | : | |
| Office of Children and Youth, a/k/a Erie | : | |
| County Child Welfare Service and JOHN A. | : | CIVIL ACTION NO. 05-76E |
| ONORATO, ESQUIRE, individually and in | : | |
| his capacity as Erie County Solicitor | : | |
| Defendants | : | |

MOTION TO EXTEND DISCOVERY

NOW COMES the plaintiff, Abby B. Conley, by and through her attorneys, Law Offices of Timothy D. McNair, and Vendetti and Vendetti by Anthony Angelone, Esquire, and respectfully moves this Honorable Court for an extension of the discovery period in the above-captioned matter, respectfully representing as follows.

1. On June 3, 2005, this Court entered a scheduling order, a copy of which is attached hereto, requiring that all discovery be completed by October 3, 2005.

2. At the status conference, the Court noted the likelihood that discovery would have to be extended due to the number of depositions contemplated in the case.

3. Plaintiff has, within the discovery period, scheduled depositions of the parties and three independent witnesses. The defendants had previously scheduled depositions of several independent witnesses, which were scheduled for September 7 and 8, 2005. These depositions were canceled by defendants on September 6, 2005, with the indication they would be rescheduled.

4. Defendants have not responded to plaintiff's inquiry regarding rescheduling of those depositions and it appears that it will now be necessary for the plaintiff to schedule some or all of those depositions of non-party witnesses to which she does not otherwise have access.

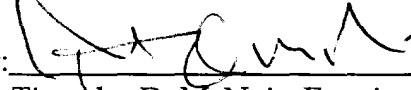
5. After inquiry, plaintiff has not been advised as to the position of the defendants regarding the requested extension of discovery. However, given the number of witnesses involved and the difficulty of coordinating the schedules of the four attorneys involved, plaintiff is requesting an additional sixty (60) days for discovery.

6. Plaintiff believes that all necessary discovery can be completed within that time.

WHEREFORE, plaintiff respectfully moves this Honorable Court for enlargement of the discovery period in the above-captioned matter.

Respectfully submitted,

LAW OFFICES OF TIMOTHY D. McNAIR

By: 

Timothy D. McNair, Esquire

Attorneys for Plaintiff

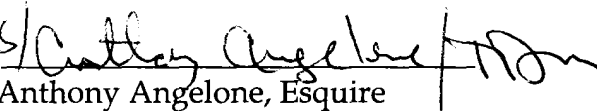
821 State Street

Erie, PA 16501

814-452-0700

Supreme Court I.D. No. 34304

VENDETTI & VENDETTI

By: 

Anthony Angelone, Esquire

Attorney for Plaintiff

3820 Liberty Street

Erie, Pennsylvania 16509

(814) 868-8541

Supreme Court I.D. No. 56206

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FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ERIE DIVISION

ABBY B. CONLEY,
Plaintiff

VS.

COUNTY OF ERIE, ERIE COUNTY
OFFICE OF CHILDREN AND YOUTH,
a/k/a ERIE COUNTY CHILD WELFARE
SERVICE, RICHARD SCHENKER,
individually and in his capacity as County
Executive of Erie County, Pennsylvania,
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JURY TRIAL DEMANDED

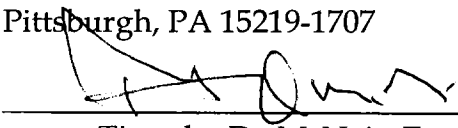
CIVIL ACTION NO. 05-76E

CERTIFICATE OF SERVICE

On this 21st day of September, 2005, I hereby certify that I sent a true and correct copy of the foregoing Motion to Extend Discovery to the following by United States mail:

Edmond R. Joyal, Jr., Esquire
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Mark R. Lane, Esquire
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525 William Penn Place, Suite 3700
Pittsburgh, PA 15219-1707


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